

1 ROGER L. GRANDGENETT II, ESQ., Bar No. 6323
2 STEVEN J.T. WASHINGTON, ESQ., Bar No. 14298
3 LITTLER MENDELSON P.C.
3960 Howard Hughes Parkway
Suite 300
Las Vegas, Nevada 89169.5937
4 Telephone: 702.862.8800
Fax No.: 702.862.8811
5 Email: rgrandgenett@littler.com
swashington@littler.com

6 *Attorneys for Defendant*
7 TERRIBLE HERBST INC.

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 Sheida Hukman,
12
13 Plaintiff,
14
15 v.
16 Terrible Herbst Inc.,
Defendant.

Case No. 2:21-cv-01279

(District Court Case No. A-21-831118-C)

**NOTICE OF REMOVAL OF CIVIL ACTION
UNDER 28 U.S.C. §§ 1331, 1367, 1441(a), and
1446 (FEDERAL QUESTION)**

17 **TO THE CLERK FOR THE UNITED STATES DISTRICT COURT FOR THE DISTRICT**
18 **OF NEVADA:**

19 PLEASE TAKE NOTICE that Defendant TERRIBLE HERBST INC. (“Defendant”)
20 hereby removes the above-entitled action from the Eighth Judicial District Court in and for the
21 County of Clark, State of Nevada, to the United States District Court for the District of Nevada
22 pursuant to 28 U.S.C. §§ 1331, 1367, 1441(a), and 1446. This removal is based upon federal
23 question and is timely.

24 In support of this Notice of Removal of Civil Action, Defendant states:

25 1. On or about March 15, 2021, Plaintiff Sheida Hukman (“Plaintiff”) filed a
26 Complaint in the District Court of Nevada, Clark County, entitled *Sheida Hukman v. Terrible*
27 *Herbst Inc.*, Case No. A-21-831118-C (Department 27). This case was assigned to the Honorable
28

1 Nancy L. Allf. Plaintiff's Complaint alleges various causes of action arising under federal law,
2 Title VII of the Civil Rights Act, 42 U.S.C. Sec. 2000e et seq.

3 2. Plaintiff served Defendant on or about June 15, 2021, with a copy of the Summons
4 and Complaint. A true and correct copy of all process, pleadings, and any orders served upon
5 Defendant in the state court action are being filed with this Notice as required by 28 U.S.C. §
6 1446(a) and are attached as **Exhibit 1**.

7 3. Accordingly, Defendant has filed this Notice of Removal within thirty (30) days
8 after receipt of the initial pleading setting forth a removable claim and it is timely filed under 28
9 U.S.C. § 1446(b).

10 4. This Court has original jurisdiction over this action under 28 U.S.C. § 1331 and
11 removal jurisdiction under 28 U.S.C. § 1441(a) as Plaintiff is asserting claims arising under federal
12 law. Specifically, the Complaint asserts causes of action under Title VII of the Civil Rights Act of
13 1964 42 U.S.C. § 2000e et seq., including Plaintiff causes of action 1 through 5. The Court has
14 Supplemental Jurisdiction over the Claims arising under state law to 28 U.S.C. § 1367.

15 5. Venue is proper in this Court as this is the court for the district and division
16 embracing the place where the action is pending in state court, in accordance with 28 U.S.C. §§
17 108 and 1441(a).

18 6. The Notice to the Adverse Parties of Removal to Federal Court was filed in state
19 court and served simultaneously herewith, in accordance with 28 U.S.C. § 1446(d).

20 7. The Notice to State Court of Removal of Civil Action to Federal Court was filed in
21 state court and served simultaneously herewith, in accordance with 28 U.S.C. § 1446(d).

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 WHEREFORE, Defendant prays that the above-referenced action now pending against
2 them in the Eighth Judicial District Court in and for the County of Clark, State of Nevada, be
3 removed to this Court.

4 Dated: July 6, 2021

LITTLER MENDELSON P.C.

6 

7 _____
8 ROGER L. GRANDGENETT II, ESQ.
STEVEN J.T. WASHINGTON, ESQ.

9 *Attorneys for Defendant*
10 TERRIBLE HERBST INC.

PROOF OF SERVICE

I am a resident of the State of Nevada, over the age of eighteen years, and not a party to the within action. My business address is 3960 Howard Hughes Parkway, Suite 300, Las Vegas, Nevada 89169. On July 6, 2021, I served the within document(s):

**NOTICE OF REMOVAL OF CIVIL ACTION UNDER 28 U.S.C. §§ 1332 AND 1441(a)
(DIVERSITY)**

- ☐ By **Email** - by e-mailing a copy of the document(s) listed above to the person(s) at the e-mail address(es) set forth below.
- ☒ By **United States Mail** – a true copy of the document(s) listed above for collection and mailing following the firm's ordinary business practice in a sealed envelope with postage thereon fully prepaid for deposit in the United States mail at Las Vegas, Nevada addressed as set forth below.
- ☒ By **CM/ECF Filing** – Pursuant to FRCP 5(b)(3) and LR 5-1, the above-referenced document was electronically filed and served upon the parties listed below through the Court's Case Management and Electronic Case Filing (CM/ECF) system:

Sheida Hukman
P.O. Box 96321
Las Vegas, Nevada 89193

Pro Se

I am readily familiar with the firm's practice of collection and processing correspondence for mailing and for shipping via overnight delivery service. Under that practice it would be deposited with the U.S. Postal Service or if an overnight delivery service shipment, deposited in an overnight delivery service pick-up box or office on the same day with postage or fees thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 6, 2021, at Las Vegas, Nevada.

/s/ Samantha Catelo
Samantha Catelo

4831-8893-0287.1 / 036579-1038